

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSEPH J. SAIZ,

Plaintiff,

v.

No. CV 15-0621 WJ/LAM

BERNALILLO COUNTY,

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. The record indicates that a recent mailing to Plaintiff has been returned undelivered (*Doc. 6*) with a notation that the mailing was refused and that the post office is unable to forward it. Plaintiff's apparent failure to advise the Court, in writing, of his current address, as required by D.N.M. LR-Civ 83.6, demonstrates a lack of interest in litigating his claims, which may subject him to dismissal of this action for lack of prosecution. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) ("The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.") (citations and footnotes omitted); *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984) ("Courts have the inherent power to impose a variety of sanctions on both litigants and attorneys in order to regulate their docket, promote judicial efficiency, and deter frivolous filings.") (citations omitted); and *Thornton v. Estep*, No. 05-1263, 209 Fed. Appx. 755, 757, 2006 WL 3705038 (10th Cir. Dec. 18, 2006) (unpublished) (holding that the district court did not abuse its discretion by dismissing *pro se* inmate's petition for a writ of habeas corpus for failure to prosecute due to

inmate's failure to comply with local rule regarding notification to the court of change of address). The Court, therefore, will require Plaintiff to show cause why his complaint should not be dismissed. Failure to comply with this order may result in dismissal without further notice.

IT IS THEREFORE ORDERED that, **within fourteen (14) days from entry of this order**, Plaintiff shall notify the Clerk in writing of his current address, or otherwise show cause why this action should not be dismissed. **Plaintiff is hereby notified that failure to respond to this order may result in dismissal of his case without further notice.**

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE